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EXAMINER

FOX, JAMAL A

ART UNIT	PAPER NUMBER
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2664

6

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/773,825

Applicant(s)

STUART ET AL

Examiner

Jamal A Fox

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-18, 20-32, 34-37 and 39-50 is/are rejected.
- 7) ☒ Claim(s) 9, 19, 24, 33 and 38 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Objections***

1. Claim 24 is objected to because of the following informalities: Claim 24, after "21", a space needs to be inserted. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-8, 11-18, 20-27, 34, 39-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Stewart et al. (U.S. Patent No. 6,732,176).

Referring to claim 1, Stewart et al. discloses a method of facilitating communication services (services, col. 5 lines 63-65) for a communication unit (Fig. 1, ref. sign 120 and respective portions of the spec.) such services selected from a

plurality of communications service providers (Fig. 1, ref. sign 160 and respective portions of the spec.), the method including the steps of:

receiving, at the communications unit using a first service provider, an indication of a desired communications (access information, col. 5 line 55-col. 6 line 4);

determining, in accordance with said indication, first communications services (Internet Access, col. 5 lines 63-65) available to the communications unit from a second service provider ; and

sending (routed, col. 7 lines 12-20), using said first service provider, an indication of said first communications services to a second communications unit.

Referring to claim 2, Stewart et al. discloses the method of claim 1 wherein said step of receiving further includes receiving an indication of second communications services (paging, col. 6 line 11) desired by a second communications unit (Access Point 120, col. 5 lines 55-62).

Referring to claim 3, Stewart et al. discloses the method of claim 2 wherein said step of receiving further includes receiving first affiliation information (identification information, col. 6 lines 15-28) corresponding to said second communications services.

Referring to claim 4, Stewart et al. discloses the method of claim 2 wherein said step of sending further includes sending an acknowledgement (digital certificate, col. 6 lines 25-28) of said second communications services together with second affiliation information corresponding to said second communications services.

Referring to claim 5, Stewart et al. discloses the method of claim 2 wherein said step of sending further includes sending an indication of communications services

corresponding to said second communications services and alternative services (other services, col. 6 lines 15-21), all such communications services available to the communication unit.

Referring to claim 6, Stewart et al. discloses the method of claim 5 wherein said step of sending further includes sending second affiliation information (identification information, col. 6 lines 15-28) corresponding to said all such communication services.

Referring to claim 7, Stewart et al. discloses the method of claim 5 further including a step of receiving an indication of third communication services (Global Positioning, col. 8 lines 17-34) selected by said second communications unit.

Referring to claim 8, Stewart et al. discloses the method of claim 7 wherein said step of receiving said indication of said third communications services selected by said second communications unit further includes receiving affiliation information (information, col. 8 line 11) for said third communications services.

Referring to claim 11, Stewart discloses a method of facilitating communication services (services, col. 5 lines 63-65) for a communication unit (Fig. 1, ref. sign 120 and respective portions of the spec.), such services selected from a plurality of communication service providers (Fig. 1, ref. sign 160 and respective portions of the spec.), the method including the steps of:

sending, to a second communications unit using a first service provider, an indication of a desired communications (access information, col. 5 line 55-col. 6 line 4);

determining, in accordance with said indication, first communications services (Internet Access, col. 5 lines 63-65) available to said second communications unit from a second service provider; and

initiating (routed, col. 7 lines 12-20) communications with said second communications unit using said first communications services available from said second service provider.

Referring to claim 12, Stewart et al. discloses the method of claim 11 wherein said step of sending further includes sending an indication of second communications services (paging, col. 6 line 11) desired by the communication unit to one of said second communications unit (Access Point 120, col. 5 lines 55-62) or communications server.

Referring to claim 13, Stewart et al. discloses the method of claim 12 wherein step of sending further includes sending affiliation information (identification information, col. 6 lines 15-28) corresponding to said second communications services.

Referring to claim 14, Stewart et al. discloses the method of claim 12 wherein said step of determining further includes a step of receiving an acknowledgement (digital certificate, col. 6 lines 25-28) of said second communications services together with affiliation information corresponding to said second communications services.

Referring to claim 15, Stewart et al. discloses the method of claim 12 further including a step of receiving an indication of communications services corresponding to said second communications services and alternative services (other services, col. 6

lines 15-21), all such communications services available to said second communications unit.

Referring to claim 16, Stewart et al. discloses the method of claim 15 wherein said step of receiving further includes receiving second affiliation information (identification information, col. 6 lines 15-28) corresponding to said all such communications services.

Referring to claim 17, Stewart et al. discloses the method of claim 15 further including a step of sending an indication of third communications services (Global Positioning, col. 8 lines 17-34) selected by the communications unit to said second communications unit.

Referring to claim 18, Stewart et al. discloses the method of claim 17 wherein said step of sending an indication of third communications services further includes sending affiliation information (information, col. 8 line 11) for said third communication services selected by the communications unit.

Referring to claim 20, Stewart et al. discloses a method of selecting communications services (services, col. 5 lines 63-65) for a communications unit (Fig. 1, ref. sign 120 and respective portions of the spec.), such services selected from a plurality of communication service providers (Fig. 1, ref. sign 160 and respective portions of the spec.), the method including the steps of:

establishing contact (together, col. 5 lines 15-24) between the communications unit and a second communications unit using a first service provider;

determining communications services (Internet Access, col. 5 lines 63-65)  
required for a communications exchange between the communications unit and second  
communications unit

discovering communications services (access information, col. 5 line 55-col. 6  
line 4) available from a second service provider, such services suitable for use by the  
communications unit and said second communications unit;

selecting (selected, col. 7 lines 12-20) the communication services from said first  
service provider and said second service provider, the communications services  
selected in accordance with said communications services required for a  
communications exchange.

Referring to claim 21, Stewart et al. discloses the method of claim 20 wherein  
said step of discovering and selecting is undertaken by a communications server (AP  
120, col. 7 lines 6-23).

Referring to claim 22, Stewart et al. discloses the method of claim 21 wherein  
said step of selecting is undertaken by said communications server based on one of  
available bandwidth and cost for said communications services (col. 12 lines 21-24).

Referring to claim 23, Stewart et al. discloses the method of claim 20 wherein  
said steps of discovering and selecting (selected, col. 7 lines 12-20) are undertaken  
after said communications exchange has been initiated using said first service provider.

Referring to claim 24, Stewart et al. discloses the method of claim 21 wherein  
said steps of discovering and selecting (selected, col. 7 lines 12-20) are undertaken by



said communications server on behalf of one of said communications unit and said second communications unit.

Referring to claim 25, Stewart et al. discloses the method of claim 24 further including steps of authenticating and authorizing (access rights or privilege level, col. 3 lines 7-34) one of said communications unit and said second communications unit to use said communications services.

Referring to claim 26, Stewart et al. discloses the method of claim 24 further including a step of billing (billing, col. 12 lines 2-10, col. 14 lines 27-34, col. 14 line 57- col. 15 line 15) one of said communications unit and second communications unit for use of said communication services.

Referring to claim 27, Stewart et al. discloses a communications unit (Fig. 1, ref. sign 120 and respective portions of the spec.) arranged for selecting communications services (services, col. 5 lines 63-65) from a plurality of communication service providers (Fig. 1, ref. sign 160 and respective portions of the spec.), including in combination:

a user interface (Figure 6, PCD 110 and respective portions of the spec.) for accepting input indicative of desired communication services; and

a transceiver (transceiver, col. 5 line 9) and a controller (Access Controller, Fig. 2 and respective portions of the spec.), coupled to said user interface, operable for:

discovering first communications services (Internet Access, col. 5 lines 63-65) available from a second service provider for a second communications unit,

establishing, using a first service provider, a communications link (Fig. 1, ref. sign 130 and respective portions of the spec.) between the communications unit and said second communications unit, and

sending (routed, col. 7 lines 12-20) an indication of said desired communication services for a communications exchange between the communications unit and said second communications unit.

Referring to claim 34, Stewart et al. discloses a communications unit (Fig. 1, ref. sign 120 and respective portions of the spec.) arranged for selecting communication services (services, col. 5 lines 63-65) from a plurality of communication service providers (Fig. 1, ref. sign 160 and respective portions of the spec.), including in combination:

a user interface (Figure 6, PCD 110 and respective portions of the spec.) for providing user output and accepting input relevant to communication services; and

a transceiver (transceiver, col. 5 line 9) and a controller (Access Controller, Fig. 2 and respective portions of the spec.), coupled to said user interface, operable for:

receiving, using a first service provider, and indication (access information, col. 5 line 55-col. 6 line 4) of a desired communications for a communications exchange between the communications unit and a second communications unit;

discovering first communications services (Internet Access, col. 5 lines 63-65) available from a second service provider for the communications unit,

sending (routed, col. 7 lines 12-20) an indication of said first communications services to said second communications unit.

Referring to claim 39, Stewart et al. discloses a communications server arranged for selecting communications services (services, col. 5 lines 63-65) from a plurality of communications service providers (Fig. 1, ref. sign 160 and respective portions of the spec.), including in combination:

a processing unit (processor, col. 9 line 10); and

a memory (memory, col. 9 line 11) operably coupled to the processing unit, wherein the memory stores programming instructions that, when read by the processing unit, causes the processing unit to:

- f) receive, using a first protocol (protocols, col. 13 lines 62-67) of a first service provider, and indication (access information, col. 5 line 55-col. 6 line 4) of a desired communications from a communication unit (Fig. 1, ref. sign 120 and respective portions of the spec.),
- g) establish, responsive to said indication and using said first protocol (protocols, col. 13 lines 62-67), contact with a second communication unit (Fig. 1, ref. sign 120 and respective portions of the spec.),
- h) determine, responsive to said indication, first communication services (Internet Access, col. 5 lines 63-65) desired for a communication exchange between the communications unit (Fig. 1, ref. sign 120 and respective portions of the spec.) and said second communications unit (Fig. 1, ref. sign 120 and respective portions of the spec.),
- i) discover what second communications services (paging, col. 6 line 11), using a second protocol (protocols, col. 13 lines 62-67) of a second

- service provider, are available to said second communication unit (Fig. 1, ref. sign 120 and respective portions of the spec.), and
- j) select (routed, col. 7 lines 12-20) the communication services using said first protocol (protocols, col. 13 lines 62-67) and using said second protocol (protocols, col. 13 lines 62-67) to support said communication exchange between the communications unit (Fig. 1, ref. sign 120 and respective portions of the spec.) and said second communications unit (Fig. 1, ref. sign 120 and respective portions of the spec.).

Referring to claim 40, Stewart et al. discloses the communications server of claim 39 wherein said processing unit further receives a response from said second communications unit and sends a response to the communication unit using said first protocol (protocols, col. 13 lines 62-67).

Referring to claim 41, Stewart et al. discloses the communications server of claim 39 wherein said processing unit further receives a response from said second communications unit and sends a response to the communication unit using said second protocol (protocols, col. 13 lines 62-67).

Referring to claim 42, Stewart et al. discloses the communications server of claim 39 wherein said processing unit establishes, responsive to said indication and using said first protocol (protocols, col. 13 lines 62-67), contact with a plurality of communications units (Fig. 1, ref. sign 120 and respective portions of the spec.).

Referring to claim 43, Stewart et al. discloses the communications server of claim 39 wherein said processing unit further determines said first communications services

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by analysis of said indication (access information, col. 5 line 55-col. 6 line 4) of desired communications.

Referring to claim 44, Stewart et al. discloses the communications server of claim 39 wherein said processing unit further determines said first communications services by analysis of one of user preferences (access rights or privilege level, col. 3 lines 17-34) and type of information to be communicated.

Referring to claim 45, Stewart et al. discloses the communications server of claim 39 wherein said processing unit further discover said second communications services by interrogation (accessing, col. 8 lines 39-49) of each participating unit to determine what third communications services (Global Positioning, col. 8 lines 17-34) are available locally to said each participating unit and identifying a set of communications services that are compatible with said third communications services (Global Positioning, col. 8 lines 17-34).

Referring to claim 46, Stewart et al. discloses the communications server of claim 39 wherein said processing unit further discovers said second communication services (paging, col. 6 line 11) by facilitating an information exchange regarding locally available services (Internet Access, col. 5 lines 63-65; paging, DSL, ISDN, ATM, col. 6 lines 11-13; GPS, col. 8 lines 17-34) between said communications unit (Fig. 1, ref. sign 120 and respective portions of the spec.) and said second communications unit (Fig. 1, ref. sign 120 and respective portions of the spec.).

Referring to claim 47, Stewart et al. discloses the communications server of claim 39 wherein said processing unit further selects the communications services based

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upon; knowledge of information to be communicated, a set of communications services (Internet Access, col. 5 lines 63-65; paging, DSL, ISDN, ATM, col. 6 lines 11-13; GPS, col. 8 lines 17-34) available to the communications unit (Fig. 1, ref. sign 120 and respective portions of the spec.) and said second communications unit (Fig. 1, ref. sign 120 and respective portions of the spec.), and preferences of users of the communications unit and said second communications unit (Fig. 1, ref. sign 120 and respective portions of the spec.).

Referring to claim 48, Stewart et al. discloses a method of selecting communications services (services, col. 5 lines 63-65) for a communications unit (Fig. 1, ref. sign 120 and respective portions of the spec.) from a plurality of communication service providers (Fig. 1, ref. sign 160 and respective portions of the spec.) including the steps of;

communicating with a second communications unit over a Wide Area Network (WAN) service provider (Fig. 1, ref. sign 160 and wired, col. 5 lines 15-24); and

selecting communications services from a Wireless Local Area Network (WLAN) service provider (Fig. 1, ref. sign 160 and wireless, col. 5 lines 15-24) for one of the communications unit and said second communications unit.

Referring to claim 49, Stewart et al. discloses the method of claim 48 wherein said step of selecting further includes an exchange (routed, col. 7 lines 12-20) with a communications server (Fig. 2, ref. sign Router and respective portions of the spec.) and one of the communications unit (Fig. 1, ref. sign 120 and respective portions of the

spec.) and said second communications unit (Fig. 1, ref. sign 120 and respective portions of the spec.).

Referring to claim 50, Stewart et al. discloses the method of claim 49, wherein said exchange with a communication server facilitates one of authorization, authentication (access rights or privilege level, col. 3 lines 7-34), and billing (billing, col. 12 lines 2-10, col. 14 lines 27-34, col. 14 line 57-col. 15 line 15) services for one of the communications unit and said second communications unit for use of the communications services from one of said WLAN and WAN.

4. Claims 39-47 are rejected under 35 U.S.C. 102(e) as being anticipated by Blatherwick et al. (U.S. Patent No. 6,269,395).

Referring to claim 39, Blatherwick et al. discloses a communications server arranged for selecting communications services (Fig. 3.1 ref. signs SERVICE A, SERVICE B, SERVICE X and SERVICE Y) from a plurality of communications service providers (Fig. 3.1 ref. signs SP1 and SP2) , including in combination:

a processing unit (CPU, col. 5 lines 55 and 56); and

a memory (main memory, col. 5 lines 56-65) operably coupled to the processing unit, wherein the memory stores programming instructions that, when read by the processing unit, causes the processing unit to:

- f) receive, using a first protocol (protocol, col. 1 lines 35-45, col. 6 lines 10-16 and col. 14 lines 25-34) and of a first service provider (Fig. 3.1 ref. sign SP1 and first service provider, col. 6 line 46), and indication of a desired communications from a communication unit (user interface, col. 6 line 44),

- g) establish, responsive to said indication and using said first protocol (protocol, col. 1 lines 35-45, col. 6 lines 10-16 and col. 14 lines 25-34), contact with a second communication unit (CBS, col. 6 line 39-col. 7 line 14),
- h) determine, responsive to said indication, first communication services (first service, col. 6 line 46 and chosen service, col. 6 line 52) desired for a communication exchange between the communications unit and said second communications unit,
- i) discover what second communications services (further service, col. 6 lines 56-64), using a second protocol (protocol, col. 1 lines 35-45, col. 6 lines 10-16 and col. 14 lines 25-34) of a second service provider (second service provider, col. 6 lines 61 and 62), are available to said second communication unit, and
- j) select (connect, col. 6 line 63) the communication services using said first protocol (protocol, col. 1 lines 35-45, col. 6 lines 10-16 and col. 14 lines 25-34) and using said second protocol (protocol, col. 1 lines 35-45, col. 6 lines 10-16 and col. 14 lines 25-34) to support said communication exchange between the communications unit and said second communications unit.

Referring to claim 40, Blatherwick et al. discloses the communications server of claim 39 wherein said processing unit further receives a response from said second communications unit and sends a response to the communication unit using said first protocol (protocol, col. 1 lines 35-45, col. 6 lines 10-16 and col. 14 lines 25-34).



Referring to claim 41, Blatherwick et al. discloses the communications server (server, col. 5 line 67) of claim 39 wherein said processing unit further receives a response (choice, col. 6 line 66) from said second communications unit and sends a response to the communication unit using said second protocol (protocol, col. 1 lines 35-45, col. 6 lines 10-16 and col. 14 lines 25-34).

Referring to claim 42, Blatherwick et al. discloses the communications server (server, col. 5 line 67) of claim 39 wherein said processing unit establishes, responsive to said indication and using said first protocol (protocol, col. 1 lines 35-45, col. 6 lines 10-16 and col. 14 lines 25-34), contact with a plurality of communications units (CBS, col. 5 line 66-col. 6 line 9).

Referring to claim 43, Blatherwick et al. discloses the communications server (server, col. 5 line 67) of claim 39 wherein said processing unit further determines said first communications services (Fig. 3.1 ref. signs SERVICE A, SERVICE B, SERVICE X and SERVICE Y) by analysis of said indication of desired communications.

Referring to claim 44, Blatherwick et al. discloses the communications server (server, col. 5 line 67) of claim 39 wherein said processing unit further determines said first communications services by analysis of one of user preferences (user's preference, col. 7 lines 8-13) and type of information to be communicated.

Referring to claim 45, Blatherwick et al. discloses the communications server (server, col. 5 line 67) of claim 39 wherein said processing unit further discover said second communications services by interrogation of each participating unit to determine what third communications services (Fig. 6, ref. sign SERVICE 3 and respective

portions of the spec.) are available locally to said each participating unit and identifying a set of communications services that are compatible with said third communications services (Fig. 6, ref. sign SERVICE 3 and respective portions of the spec.).

Referring to claim 46, Blatherwick et al. discloses the communications server (server, col. 5 line 67) of claim 39 wherein said processing unit further discovers said second communication services by facilitating an information exchange regarding locally available services between said communications unit (CBS, col. 6 line 39-col. 7 line 14) and said second communications unit (CBS, col. 6 line 39-col. 7 line 14).

Referring to claim 47, Blatherwick et al. discloses the communications server (server, col. 5 line 67) of claim 39 wherein said processing unit further selects the communications services (Fig. 3.1 ref. signs SERVICE A, SERVICE B, SERVICE X and SERVICE Y) based upon; knowledge of information to be communicated, a set of communications services (Fig. 3.1 ref. signs SERVICE A, SERVICE B, SERVICE X and SERVICE Y) available to the communications unit (CBS, col. 6 line 39-col. 7 line 14) and said second communications unit (CBS, col. 6 line 39-col. 7 line 14), and preferences of users (user's preference, col. 7 lines 8-13) of the communications unit (CBS, col. 6 line 39-col. 7 line 14) and said second communications unit (CBS, col. 6 line 39-col. 7 line 14).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 10, 28-32 and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart et al.

Referring to claim 10, Stewart et al. discloses the method of claim 2, but does not explicitly teach of the receiving occurring while the communications unit and the second communications unit participate in a previously established call. However, a DSL device is disclosed in (col. 6 line 12). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included the receiving occurring while the communications unit and the second communications unit participate in a previously established call because in DSL, your connection stays open and allows you still use the line for other calls.

Referring to claim 28, Stewart et al. discloses the communications unit of claim 27 wherein the controller (Access Controller, col. 9 lines 39-47) selects the communication services from the first service provider or the second service provider, but does not explicitly teach of the communications services selected in accordance with the desired communications services and controlling the transceiver to initiate communications with the second communications unit using the communication server. However a transceiver is disclosed in (col. 5 line 9). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included the desired communications services and controlling the transceiver to initiate communications with the second communications unit using the communication server because you have to have an apparatus or means for transmitting in order to

communicate between the communication units and a transceiver is a combination of a transmitter and receiver in a single package.

Referring to claim 29, Stewart et al. discloses the communications unit of claim 27, but does not explicitly teach of a transceiver sending an indication of the desired communications services and affiliation information to one of the second communications unit or a communication server. However a transceiver is disclosed in (col. 5 line 9) and affiliation information (identification information, col. 6 lines 15-28). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included sending an indication of the desired communications services and affiliation information to one of the second communications unit or a communication server because you have to have an apparatus or means for transmitting the affiliation information to the communication units and a transceiver is a combination of a transmitter and receiver in a single package.

Referring to claim 30, Stewart et al. discloses the communications unit of claim 29, but does not explicitly teach of the transceiver receiving an acknowledgement of the desired communications services together with second affiliation information corresponding to the desired communications services. However a transceiver is disclosed in (col. 5 line 9) an acknowledgement (digital certificate, col. 6 lines 25-28) and affiliation information (identification information, col. 6 lines 15-28). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included the transceiver receiving an acknowledgement of the

desired communications services together with second affiliation information corresponding to the desired communications services because you have to have an apparatus or means for receiving the acknowledgements of the desired communications services and a transceiver is a combination of a transmitter and receiver in a single package.

Referring to claim 31, Stewart et al. discloses the communications unit of claim 27, but does not explicitly teach of the transceiver receiving an indication of communications services corresponding to the desired communications services and alternative services, all such communication services available to the second communications unit. However a transceiver is disclosed in (col. 5 line 9) and alternative services (other services, col. 6 lines 15-21). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included the transceiver receiving an indication of communications services corresponding to the desired communications services and alternative services, all such communication services available to the second communications unit because you have to have an apparatus or means for receiving the communications services and a transceiver is a combination of a transmitter and receiver in a single package.

Referring to claim 32, Stewart et al. discloses the communications unit of claim 31, but does not explicitly teach of the transceiver further sending an indication of second communications services selected by the communications unit to the second communications unit. However a transceiver is disclosed in (col. 5 line 9) and second communications services are disclosed in (paging, col. 6 line 11). Therefore it would

have been obvious to one having ordinary skill in the art at the time the invention was made to have included the transceiver further sending an indication of second communications services selected by the communications unit to the second communications unit because you have to have an apparatus or means to transmit an indication of the communications services and a transceiver is a combination of a transmitter and receiver in a single package.

Referring to claim 35, Stewart et al. discloses the communications unit of claim 34, but does not explicitly teach of the transceiver sending an acknowledgement of the desired communications services together with second affiliation information corresponding to the desired communications services. However a transceiver is disclosed in (col. 5 line 9) an acknowledgement (digital certificate, col. 6 lines 25-28) and affiliation information (identification information, col. 6 lines 15-28). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included the transceiver sending an acknowledgement of the desired communications services together with second affiliation information corresponding to the desired communications services because you have to have an apparatus or means for sending the acknowledgements of the desired communications services and a transceiver is a combination of a transmitter and receiver in a single package.

Referring to claim 36, Stewart et al. discloses the communications unit of claim 34, but does not explicitly teach of the transceiver sending an indication of communications services corresponding to the desired communications services and alternative services, all such communication services available to the second

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communications unit. However a transceiver is disclosed in (col. 5 line 9) and alternative services (other services, col. 6 lines 15-21). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included the transceiver sending an indication of communications services corresponding to the desired communications services and alternative services, all such communication services available to the second communications unit because you have to have an apparatus or means for sending the communications services and a transceiver is a combination of a transmitter and receiver in a single package.

Referring to claim 37, Stewart et al. discloses the communications unit of claim 36, but does not explicitly teach of the transceiver receiving an indication of second communications services selected by the communications unit to the second communications unit. However a transceiver is disclosed in (col. 5 line 9) and second communications services are disclosed in (paging, col. 6 line 11). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included the transceiver receiving an indication of second communications services selected by the communications unit to the second communications unit because you have to have an apparatus or means to receive an indication of the communications services and a transceiver is a combination of a transmitter and receiver in a single package.

***Allowable Subject Matter***

7. Claims 9, 19, 33 and 38 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 305-3988, (for formal communications intended for entry)

**Or:**

(703) 305-3988 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121  
Crystal Drive, Arlington, VA. 22202, Sixth Floor (Receptionist).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamal A. Fox whose telephone number is (703) 305-5741. The examiner can normally be reached on Monday-Friday 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (703) 305-4366. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9315 for After Final communications.



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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

J.A.F.

**Jamal A. Fox**

A handwritten signature in black ink, appearing to read 'W. Chin', with a long horizontal line extending to the right.

**WELLINGTON CHIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600**